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AN ORDINANCE relating to transportation concurrency; eliminating monitored zones from the residential concurrency map; eliminating the table of vehicle trips for monitored zones; adopting the new residential transportation concurrency map and the new monitored corridors for transportation concurrency list; amending Ordinance 14050, Section 8, as amended, and K.C.C. 14.70.210, Ordinance 14050, Section 9, as amended, and K.C.C. 14.70.220, Ordinance 14050, Section 10, as amended, and K.C.C. 14.70.230, and Ordinance 14050, Section 14, as amended and K.C.C. 14.70.270 and repealing Ordinance 15030, Attachments A, B and C.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14050, Section 8, as amended, and K.C.C. 14.70.210 are each hereby amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Applicant" means a person, partnership, corporation or other legal entity who applies to the department for a certificate of transportation concurrency.

B. "Average travel speed" means the average speed in miles per hour of a vehicle over a certain length of road.

C. "Capital improvement program" or "CIP" means the expenditures and revenues programmed by King County for capital purposes for road improvements over the next six-year period in the adopted CIP currently in effect.

D.1. "Certificate of concurrency" means the document issued by the department indicating:

- a. the location of the property on which the development is proposed;
- b. the number of development units and specific uses that were tested for concurrency and approved;
- c. the type of development approval for which the certificate of concurrency is issued;
- d. an effective date; and
- e. an expiration date.

2. Certificates may be conditional only for nonresidential developments.

E. "Committed network" means the road system for measuring concurrency, which includes all existing transportation facilities and also includes proposed transportation facilities that are fully funded for construction in the adopted CIP or for which voluntary financial commitments have been secured. Fully funded projects to be provided by the state, cities or other jurisdictions may become part of the committed network.

F. "Concurrency" means transportation facilities are in place at the time of development or that a financial commitment is in place to complete within six years the improvements needed to maintain the county level of service standards, according to RCW 36.70A.070(6).

G. "Concurrency map" means the map displaying in color the concurrency status of each concurrency zone for residential land uses based upon the traffic model. The map consists of ~~((three))~~ two colors, which are green~~((, yellow))~~ and red, that signify level of service status as designated under K.C.C.14.70.230.C.

H. "Concurrency status" means whether or not a concurrency zone meets the TAM and travel time standards adopted in this chapter.

I. "Concurrency test" means determining if a proposed development complies with the adopted level of service standard of the concurrency zone in which the proposed development is located.

J. "Concurrency zone" means one of the zones depicted in the adopted concurrency map.

K. "Critical segment" means the one-direction lane or lanes of a portion of a monitored corridor within the committed network with an average travel speed of level of service E for the Urban Growth Area and designated Rural Towns and level of service B for the Rural Area during the peak period and that carries more than thirty percent of the one-way peak-period vehicle trips from a proposed development for nonresidential development or from a concurrency zone for residential development. The portion of a roadway comprising a critical segment may be several connected roadway links, as used in the traffic model.

L. "Department" means the King County department of transportation or its successor agency.

M. "Development" means specified changes in use designed or intended to permit a use of land that will contain more dwelling units or buildings than the existing

use of the land, or to otherwise change the use of the land or buildings or improvements on the land in a manner that increases the amount of vehicle traffic generated by the existing use of the land, and that requires a development permit from King County. This definition does not pertain to the rezoning of land or a grading permit.

N. "Development application" means the request made to the department of development and environmental services, or its successor agency, for approval of a development.

O. "Development approval" means an order, permit or other official action of the department of development and environmental services or its successor agency granting, or granting with conditions, an application for development.

P. "Development units" means the number of dwelling units for residential development and square feet for nonresidential development.

Q. "Director" means the director of the department.

R. "Financial commitment" consists of:

1. Revenue designated in the adopted CIP. The adopted CIP identifies all applicable and available revenue sources and forecasts these revenues through the six-year period with reasonable assurance that the funds will be timely put to those ends. Projects to be used in defining the committed network are fully funded for construction in the six years of the CIP. This commitment is reviewed through the annual budget process; or

2. Revenue that is assured by an applicant in a form approved by the county in a voluntary agreement.

S. "HOV" means high occupancy vehicle.

T. "Level of service standard" means the TAM and travel time standards that are adopted in the Comprehensive Plan and in this chapter.

U. "Link" means the one-direction lane or lanes of a roadway between two adjacent consecutive points along that roadway, as used in the traffic model. The consecutive points determining the length of a link may be based on roadway and geographical characteristics such as roadway alignment and intersection location.

V. "Monitored corridor" means a principal or minor arterial considered by the department to be important to traffic circulation in the county and may consist of two or more connected segments. The monitored corridors are established and listed in Attachment ((C)) B to ((~~Ordinance 14580~~)) this ordinance. Monitored corridors in a city shall be based upon interlocal agreement between the county and that city.

W. ((~~"Monitored zones" means those zones that are within ten percent of exceeding the adopted TAM or travel time level of service standards.~~))

~~X.~~) "Peak period" means the one-hour weekday afternoon period during which the greatest volume of traffic uses the road system. For concurrency purposes, this period shall be in the afternoon of a typical weekday.

((~~Y.~~)) X. "Reservation and reserve" means development units are set aside in the department's traffic model in a manner that assigns the units to the concurrency zone and prevents the same units from being assigned to any other development once the traffic model is updated.

((~~Z.~~)) Y. "Road classification" means the classification of roadways as determined by the county council by ordinance based on the function and design of a specific road.

~~((AA.))~~ Z. "Rural Area" means a Rural Area as defined in the King County Comprehensive Plan.

~~((BB.))~~ AA. "Rural Town" means a Rural Town as defined in the King County Comprehensive Plan.

~~((CC.))~~ BB. "Segment" means a portion of a monitored corridor between major intersections or roadway configuration changes such as changes in the number of lanes. A segment may consist of several connected links as used in the traffic model.

~~((DD.))~~ CC. "Traffic model" means the computer program and data that is used to forecast traffic volumes and that is calibrated to Federal Highway Administration standards. The model is used to prepare the concurrency map for proposed residential developments and to conduct site specific analysis for proposed nonresidential developments. The model documentation is available from the department.

~~((EE.))~~ DD. "Transportation adequacy measure" or "TAM" means the average weighted volume-to-capacity ratio for all traffic in the afternoon peak hour for a concurrency zone or nonresidential development.

~~((FF.))~~ EE. "Transportation facilities" means principal, minor and collector arterial roads, state highways and high occupancy vehicle facilities. Transportation facilities include any such a facility owned, operated or administered by the state of Washington and its political subdivisions, including the county and cities.

~~((GG.))~~ FF. "Travel time" means the time it takes a vehicle to travel from one specified point to another.

~~((HH.))~~ GG. "Travel time standard" means the level of service standard used to judge the performance of monitored corridors and critical road segments within the

corridors. The level of service standard is identified by ranges of average travel speed by road classification.

~~((H:))~~ HH. "Urban Growth Area" means an Urban Growth Area as defined in the King County Comprehensive Plan.

SECTION 2. Ordinance 14050, Section 9, as amended, and K.C.C. 14.70.220 are each hereby amended to read as follows:

A. Concurrency shall be determined by the application of TAM and travel time standards to proposed nonresidential developments and concurrency zones for proposed residential developments within unincorporated King County.

B. The TAM calculation for a concurrency zone or nonresidential development shows the adequacy of the committed network relative to the adopted level of service. Projects to be provided by the state, cities or other jurisdictions may become part of the committed network upon decision of the director. A volume-to-capacity ratio is the measure used for TAM evaluation with one standard for the Urban Growth Area and another standard for the Rural Area. The TAM standard for the Urban Growth Area and designated Rural Town is level of service E, or 0.99 volume-to-capacity ratio, as adopted in the King County Comprehensive Plan. The standard for the Rural Area is level of service B, or 0.69 volume-to-capacity ratio, as adopted in the King County Comprehensive Plan. The standard for the minor developments and public and educational facilities listed in K.C.C. 14.70.285 is level of service F, or greater than 0.99 volume-to-capacity ratio, as adopted in the King County Comprehensive Plan.

C.1. The travel time standard shall apply to the monitored corridors listed in Attachment ~~((C))~~ B to ~~((Ordinance 14580))~~ this ordinance. The travel time standards are

levels of service based on average travel speed in miles per hour, and the standards vary by road classification. The travel speed calculations measure the adequacy of critical segments within monitored corridors. The travel time standard for the Urban Growth Area and designated Rural Towns is level of service E. The travel time standard for the Rural Area is level of service B. The travel time standard for the minor developments and public and educational facilities listed in K.C.C. 14.70.285 is level of service F. Travel time standards shall not apply to monitored corridors in the Urban Growth Area if HOV lanes and transit service are available at the time of concurrency application or are expected to be available within six years.

2. The following table identifies the range of travel speeds for the travel time levels of service on monitored corridors and critical segments including the average travel speeds used for the standards level of service E and level of service B.

ROAD LEVELS OF SERVICE				
Road Classification:	I (State Routes)	II (Principal Arterials)	III (Minor Arterials)	IV (Collector Arterials)
LEVEL OF SERVICE	AVERAGE TRAVEL SPEED (MILES PER HOUR)			
A	>42	>35	>30	>25
B	>34 – 42	>28 – 35	>24 – 30	>19 – 25
C	>27 – 34	>22 – 28	>18 – 24	>13 – 19
D	>21 – 27	>17 – 22	>14 – 18	>9 – 13
E	>16 – 21	>13 – 17	>10 – 14	>7 – 9
F	<=16	<=13	<=10	<=7

SECTION 3. Ordinance 14050, Section 10, as amended, and K.C.C. 14.70.230

are each hereby amended to read as follows:

A. The department shall perform a concurrency test for each application for a certificate of concurrency to determine whether the proposed development satisfies the TAM and travel time standards.

B. The concurrency test shall be performed only for the proposed development identified by the applicant on a completed concurrency application. Changes to the proposed development that would create additional vehicle trips shall be subject to an additional concurrency test.

C.1. When making a concurrency determination for a proposed residential development, the department shall consult the concurrency map currently in effect. The concurrency map displayed in Attachment A to ~~((Ordinance 15030))~~ this ordinance is adopted as the official concurrency map for King County. The department shall make a determination of concurrency according to the status indicated on the adopted map for the concurrency zone in which the proposed residential development is located.

2. On the concurrency map, if the zone color is green it means the proposed residential development shall be given a certificate because the concurrency zone is functioning within level of service standards. ~~((The color yellow means the concurrency zone is close to exceeding the level of service standards and there is a designated number of residential units that may be given a certificate.))~~ The color red means the concurrency zone is at or exceeding level of service standards and the proposed residential development shall not be given a certificate, unless it is a minor development listed in K.C.C. 14.70.285.

~~((3. Monitored zones are yellow on the concurrency map. Attachment B to Ordinance 15030 shows the estimated number of residential vehicle trips that can be accommodated in each monitored zone. The department shall monitor the residential certificates of concurrency issued in each monitored zone. The department may approve applications for residential concurrency certificates up to the number of vehicle trips estimated for a zone as indicated in the table. The number of remaining trips in the table shall be reduced by the number of peak hour trips represented in each residential concurrency certificate issued in a monitored zone. When a monitored zone reaches its estimated capacity for vehicle trips, the department shall hold all residential applications in that zone until the council adopts a new concurrency map, except for minor developments listed in K.C.C. 14.70.285. If the new concurrency map indicates that more trips can be accommodated in the zone, the department shall process those residential applications that were put on hold, in the order received, until the estimated vehicle trip capacity is once again reached, at which point the department shall hold all residential applications in that zone as provided in this subsection. If the new concurrency map indicates that the monitored zone is out of compliance for adopted TAM or travel time level of service standards then residential applications that were put on hold shall be denied.))~~

D. When conducting the concurrency test for a proposed nonresidential development, the department shall conduct a site specific analysis using the department's traffic model. The department shall use standard trip generation rates published by the Institute of Transportation Engineers or other documented information and surveys approved by the department. The department may approve a reduction in generated

vehicle trips based on additional information supplied by the applicant. The calculation of vehicle trip reductions shall be based upon recognized technical information and analytical processes that represent current engineering practice. The department shall have final approval of such data, information and technical procedures as are used to calculate vehicle trip reductions.

E. If the concurrency test is passed under subsection D. of this section, the applicant shall receive a certificate of concurrency. If the concurrency test for a nonresidential project is passed only under certain conditions of road improvements or project size, then the applicant shall receive a conditional certificate of concurrency on which the specific conditions are stated.

F. If the concurrency test for nonresidential development is not passed, the applicant shall select one of the following options:

1. Request in writing a ninety-day period in which the applicant can meet with the department to review the concurrency analysis and possible mitigation measures. The applicant may also provide additional information to the department in support of the application. The ninety-day period must be requested no later than ten days after the applicant's receipt of the notification of denial;

2. Appeal the denial of the application for a certificate of concurrency in accordance with K.C.C. 14.70.260. Acceptance of the ninety-day period shall not impair the applicant's future right to a formal appeal at a later time. An appeal must be filed with the department no later than ten days after the expiration of the ninety-day period; or

3. Accept the denial of an application for a certificate of concurrency.

SECTION 4. Ordinance 14050, Section 14, as amended, and K.C.C. 14.70.270

are each hereby amended to read as follows:

A. The traffic model for concurrency shall be updated annually as part of the budget process or when authorized by the county council by ordinance. The update process shall include the most recently adopted roads CIP, updated traffic volumes and updated information regarding issuance of concurrency certificates, development approvals and development activity. The traffic model shall conform to the guidelines and procedures described by the Federal Highway Administration in its publication entitled Calibration and Adjustment of System Planning Models dated December 1990 or its successor. Each update of the traffic model shall be used to produce a new concurrency map ~~((and table of estimated vehicle trips for monitored zones))~~. The concurrency map ~~((and table of estimated vehicle trips for monitored zones))~~ shall be submitted to council for its approval by ordinance. The updates of the traffic model shall be deemed adequate for the purposes of concurrency analysis and the concurrency map shall be used to determine the concurrency of proposed residential development projects. The traffic model shall be used to prepare the concurrency map and to perform site specific analysis for nonresidential projects.

B. The concurrency map is a result of the values inputted in to the traffic model, as described in subsection A, of this section. The concurrency map indicates if a concurrency zone does or does not comply with adopted TAM and travel time level of service standards. Any changes to the concurrency status of a zone or zones on the concurrency map other than those resulting from the model update process may only be accomplished by the council, through an ordinance, by changing any combination of the

adopted TAM or travel time standards, or the list of funded projects in the most recently adopted CIP.

SECTION 5. Attachment A to Ordinance 15030, Residential Transportation Concurrency Attachment A—Revised Comp Plan Map, dated June 30, 2004, Attachment B to Ordinance 15030, Estimated Residential Vehicle Trips for Monitored Zones, dated July 6, 2004, and Attachment C to Ordinance 15030, Monitored Corridors for Transportation Concurrency, dated September 27, 2004, are each hereby repealed.